



Gila/Pinal Workforce Investment Board Bylaws

Proposed to Gila County Board of Supervisors on 6-24-14



Equal Opportunity Employer/Program.
Auxiliary aids and services are available upon request to individuals with a disability

BYLAWS

ARTICLE I – NAME, AREA OF SERVICE AND AUTHORIZATION

This advisory board will be known as the Gila/Pinal Workforce Investment Board (hereinafter referred to as the “GPWIB”).

The Chief Elected Officials are defined as the Gila and Pinal **Counties’** Boards of Supervisors.

The area served shall be Gila and Pinal Counties, **state** of Arizona, inclusive of all municipalities and unincorporated areas. This area shall be known as the **Local** Workforce Investment Area (**LWIA**).

The GPWIB and its committees derive their authority from the Workforce Investment Act (~~WIA~~) (hereinafter referred to as the “~~Act~~ **WIA**”), Public Law 105-220.

ARTICLE II – MISSION **STATEMENT**

~~To serve the interests of the citizens of both Gila County and Pinal County:~~

- ~~1. Enhancing existing training programs and/or developing new training programs and service delivery systems to better meet the immediate and long-term needs of the local area.~~
- ~~2. Developing job training and curricula in concert with the input and needs of existing employers and businesses, and to consider the anticipated demand for targeted job opportunities as specified by the training clusters and foundations at the local level.~~
- ~~3. Eliminating program redundancy and provide easier access to clients.~~
- ~~4. Supporting the Arizona Strategic Five Year State Workforce Investment Plan to ensure that the legislative intent of the Workforce Investment Act of 1998 is adhered to.~~

The GPWIB’s mission is to act as a catalyst for change by identifying and utilizing community resources and broad-based partnerships to improve the vitality of the economy; through the quality of the workforce; and to strengthen the business community in Gila and Pinal Counties through partnerships, education and employment opportunities to help drive economic development.

ARTICLE III – PURPOSE

The GPWIB is established in accordance with the ~~State of Arizona Workforce Investment Board~~. The GPWIB will serve the public interest by selection and ~~oversees the funding for the sole purpose of providing youth and adults with~~

~~workplace experience and supporting re-engaging into the workforce in an ethical and responsible manner. The GPWIB is subject to the State of Arizona laws applicable to public bodies.~~ requirements outlined in the WIA. The GPWIB, in partnership with the Boards of Supervisors of Gila and Pinal Counties, plan and oversee the local system. Local plans are submitted for the Governor's approval. The GPWIB oversees the funding for all programs provided to eligible youth, adults and dislocated workers within the LWIA. The GPWIB designates "One-Stop" operators and identifies providers of training services, monitors system performance against established performance measures, negotiates local performance measures with the State board and the Governor, and helps develop the labor market information system.

~~The GPWIB will increase the involvement of the business community in employment and training activities and increase private sector employment opportunities through marketing and local input.~~

~~The GPWIB will encourage maximum feasible coordination of programs under the One-Stop System with related activities supported by the U. S. Department of Labor and federal, state, and local agencies.~~

~~The GPWIB will strive to meet performance standards that demonstrate an increase in employment, retention and earnings of participants, and increase occupational skill attainment by participants, which will improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the local, state and national economy.~~

~~The GPWIB shall facilitate and be the catalyst for training and educational services, which are responsive to the employment needs of Gila and Pinal Counties.~~

ARTICLE IV – RESPONSIBILITIES/GOALS

The ~~eight~~ **seven** functions of the ~~board~~ **GPWIB** are as follows:

1. Develop and submit a **Five** ~~(5)~~ **-Year Business Plan** to the Governor, in partnership with the Chief Elected Officials. Thus, the GPWIB is responsible for the development of a local strategic workforce plan.
2. With the agreement of the Chief Elected Officials, designate or certify One-Stop Operators and terminate the eligibility of such operators for cause; identify eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis, based on the recommendations of the Youth Council; identify eligible training services for adults and dislocated workers; **and** identify eligible providers for intensive services by awarding contracts if the One-Stop Operators do not provide such intensive services in the ~~local workforce area~~ **LWIA**.

3. Develop a budget for purposes of carrying out the duties of the ~~Board~~ **GPWIB**. The ~~Board~~ **GPWIB** may solicit and accept grants and donations from sources other than federal funds.
4. In partnership with the Chief Elected Officials, conduct oversight with respect to local programs of youth activities and local employment and training activities for adults ~~and~~ dislocated workers, and the One-Stop Delivery System in the ~~local Workforce Investment Area~~ **LWIA**.
5. Negotiate and reach agreement on local performance measures with the State of Arizona.
6. Coordinate the workforce investment activities carried out in the ~~local area~~ **LWIA** with economic development strategies and develop other employer linkages.
7. Promote the participation of private sector employers in the statewide workforce investment systems and ensure connecting brokering and coaching activities through intermediaries such as One-Stop Operators in the ~~local area~~ **LWIA** or through other organizations.

ARTICLE V – MEMBERSHIP [Public Law 105-220, section 117 (b)]

Membership

- a. ~~**Appointment.** The GPWIB shall be comprised of 51% of private business members and 49% public sector, who shall be appointed by the Gila and Pinal County Board of Supervisors. Members shall be appointed for terms of 4 years and may serve unlimited terms. The GPWIB members recommend proposed members to the Board of Supervisors for appointment. Once new members are voted on by a quorum of the GPWB, names will be submitted to the Gila or Pinal County Board of Supervisors for review, approval, and appointment of the individuals from within their respective jurisdictions. It is anticipated that the appointment by the Board of Supervisors shall take place within (60) days of the recommendation of appointment by the GPWIB. Members of the GPWIB may seek new members for the GPWIB board from businesses within Gila and Pinal County.~~
- b. ~~**Representation.** Criteria for membership will consist of no less than 30% from one county from the 51% for private business sector. Private Business Sector membership should be equally balanced between Gila and Pinal County as reasonable as possible.~~
- c. ~~**Duties/expectations.** Each members of the GPWIB will attend four board meetings per year and sit on any sub-committee board if asked by the board chairman~~

~~“Members will complete tasks assigned by the chair and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable about the essential matters confronting the GPWIB, including policy guidelines. Members are expected to assist each other in orientation and education related to GPWIB responsibilities.”~~

Termination

- ~~a. **Removal by the Gila/Pinal Workforce Investment Board.** If the GPWIB determines by a majority vote that a member should be removed, the chair of the GPWIB shall report to the full GPWIB.~~
- ~~b. **Resignation.** Resignations by members shall be submitted in writing to the GPWIB chair and announced at the next regularly scheduled meeting.~~
- ~~c. **Reasons for dismissal.** The GPWIB chairperson may remove a member when it determines that it is in the interest of the GPWIB or the county to do so.~~

Attendance

- ~~a. All GPWIB members are expected to attend regularly scheduled meetings. More than two consecutive unexcused absences by any member during any 12-month period may result in removal of the member of the GPWIB. A member's absence is unexcused if the member fails to notify county staff in advance of a meeting. A quorum of members at a regular scheduled meeting may remove the member in question~~

~~Four (4) excused absences, during a twelve (12) month period, shall also result in an Executive Committee review, at whose direction termination of membership may result.~~

- ~~b. All GPWIB members can phone into the regular scheduled board meeting via conference call. A cell phone call into a member's phone may be used in case the conference call is not available for the meeting.~~
- ~~c. **Annual Board Meeting**—missing more than two unexcused absences in a 12-month period shall warrant that the board member not be invited to attend the annual board meeting. The Executive Committee will review membership on a case-by-case basis.~~

~~By regulations, the Governor of the State, in partnership with the State board, shall establish criteria for use by the Chief Elected Officials in the local areas for appointment of members of the local boards. Such criteria shall require, at a minimum, that the membership of the local board include:~~

- ~~1. Private business sector;~~
- ~~2. Local educational representatives;~~
- ~~3. Labor representatives;~~
- ~~4. Community-based organizations;~~

- ~~5. Economic development;~~
- ~~6. WIA adult, youth, dislocated worker program;~~
- ~~7. Job Corps;~~
- ~~8. Native American Programs;~~
- ~~9. Veteran's workforce programs, migrant and seasonal farm worker programs, Wagner Peyser/TAA programs;~~
- ~~10. Adult education and literacy;~~
- ~~11. Vocational rehabilitation programs; and~~
- ~~12. Senior community service employment activities.~~

~~Any GPWIB vacancy shall be filled by using the same nomination and appointment process as that for original board members. A member appointed to fill a vacancy shall be appointed for the unexpired term of his/her predecessor in office and must come from the same sector. GPWIB members who leave the sector from which they were nominated shall be replaced in the original nomination and appointment process, but may maintain their membership until a replacement has been nominated and appointed.~~

~~Three (3) consecutive absences from scheduled meetings of the full WIB shall result in an Executive Committee review, at whose direction termination of membership may result, except where a leave of absence, or an excused absence has been applied for and granted by vote of the GPWIB. Four (4) excused absences, during a twelve (12) month period, shall also result in an Executive Committee review, at whose direction termination of membership may result.~~

~~A member may be recommended for removal by a majority vote of the GPWIB. Notification will be given to governmental agencies of any action taken.~~

Representation/Criteria

The GPWIB shall be comprised of 51% of private business members and 49% public sector members, who shall be appointed by the Gila and Pinal Counties' Boards of Supervisors.

Criteria for membership will consist of no less than 30% from one county from the 51% for private business sector. Private business sector membership should be equally balanced between Gila and Pinal Counties, as reasonable as possible.

By regulations, the Governor of the State, in partnership with the State workforce investment board, shall establish criteria for use by the Chief Elected Officials in the local areas for appointment of members of the local boards. Such criteria shall require, at a minimum, that the membership of the local board include:

1. Private business sector;
2. Local educational representatives;
3. Labor representatives;
4. Community-based organizations;
5. Economic development;

6. WIA adult, youth, dislocated worker program;
7. Job Corps;
8. Native American Programs;
9. Veteran's workforce programs, migrant and seasonal farm worker programs, Wagner Peyser/TAA programs;
10. Adult education and literacy;
11. Vocational rehabilitation programs; and
12. Senior community service employment activities.

Duties/Expectations

Each member of the GPWIB is expected to attend at least four GPWIB meetings per year and may be requested by the GPWIB Chairperson to serve on a standing committee of the GPWIB.

"Members will complete tasks assigned by the GPWIB Chairperson and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable about the essential matters confronting the GPWIB, including policy guidelines. Members are expected to assist each other in orientation and education related to GPWIB responsibilities."

Appointment

An application for membership on the GPWIB is presented to the GPWIB, and upon a majority vote of the GPWIB, a *recommendation* for appointment is made to the respective Board of Supervisors; those members working within or in close proximity to Pinal County are appointed by the Pinal County Board of Supervisors, and those members working within or in close proximity to Gila County are appointed by the Gila County Board of Supervisors. It is anticipated that the appointment by the Board of Supervisors shall take place within sixty days of the recommendation of appointment by the GPWIB.

Term of Office

The terms of the members shall be for four years, except for those initially appointed. Of those members initially appointed, half shall be appointed to a two year term and half shall be appointed to a four year term by each respective Board of Supervisors. Thereafter, each term shall be four years.

If a vacancy occurs otherwise than by expiration of term, the vacancy shall be filled by appointment by the Board of Supervisors for the unexpired portion of the term. The nomination process will be the same as outlined in these Bylaws under Article V - **Appointment**. The new member filling the vacancy shall represent the same sector as the outgoing member, as outlined in these Bylaws under Article V - **Representation/Criteria**, numbers 1 through 12.

Attendance

All GPWIB members are expected to attend regularly scheduled meetings. A member's absence is *unexcused* if the member fails to notify county staff in

advance of a meeting. More than **two** consecutive **unexcused** absences by any member during any 12-month period shall result in an Executive Committee review. The Executive Committee would then present a recommendation to the GPWIB with regard to removing the member. The GPWIB, by a majority vote, may remove a member from the GPWIB.

Four **excused** absences during a twelve month period shall also result in an Executive Committee review. The Executive Committee would then present a recommendation to the GPWIB with regard to removing the member.

All GPWIB members may attend the meeting in person or telephonically. A cell phone call to a member's phone may be used in case the conference call is not available for the meeting.

Termination

Resignation by members shall be submitted in writing to the GPWIB Chairman. An agenda item will be placed on the next GPWIB meeting for the GPWIB to "acknowledge" that member's resignation.

Removal of any member from the GPWIB requires a review by the Executive Committee. Should the Executive Committee determine that it is in the best interest of the GPWIB to remove a member; a recommendation for removal will be presented to the GPWIB for official action to remove the member. **Ten days' written must be provided to the member being considered for removal from the GPWIB before a recommendation for removal is placed on a GPWIB meeting agenda.**

Notification will be given to the Chief Elected Officials of any actions taken to remove a member from the GPWIB, and when any member submits a resignation.

ARTICLE VI- OFFICERS

Section 1- Chairperson

The Chairperson shall be elected by a **majority** vote of the **GPWIB**. The Chairperson shall be the Chief Officer of the GPWIB and shall preside at all meetings of the **GPWIB**. The Chairperson of the **GPWIB** shall appoint the Chairperson of standing committees **and ad hoc committees, subject to ratification by vote of the GPWIB.** The **GPWIB** Chairperson shall be responsible for carrying out the policies of the ~~Gila Pinal~~ GPWIB. He/she is the attester to all documents containing necessary concurrences required by the Governor and/or the GPWIB recommendations deemed necessary to the Boards of Supervisors. The term of office for the Chairperson shall be two ~~(2)~~ years, and no one individual may hold this office for more than one ~~(1)~~ consecutive term unless so voted by a majority of GPWIB. In general, he/she shall perform the duties of the Chairperson pursuant to these Bylaws and procedural decisions resulting from a duly cast vote of the GPWIB. The Chairperson shall be a representative of the business community on the GPWIB.

Section 2: Vice-Chairperson

The Vice-Chairperson shall be representative of the business community on the GPWIB. The Vice Chairperson shall be nominated and elected by a majority vote of the GPWIB. He/she shall perform the duties of the Chairperson in his/her absence. The term of office for the Vice-Chairperson shall be two (2) years, and no one individual may hold this office for more than one (1) consecutive term.

Section 3: Election of Officers

Election of officers shall be held bi-annually at the regularly scheduled monthly meeting of the GPWIB prior to the end of the program year with the term of office to begin at the start of a new program year.

ARTICLE VII – COMMITTEES

~~The Chairperson of the GPWIB shall appoint the Chairpersons of the standing committees, subject to ratification by vote of the GPWIB. All standing and ad hoc committees shall function and operate at the discretion of the GPWIB and any recommendation by the standing or ad hoc committees shall be forwarded to the GPWIB for action. Any council member may raise an issue duly considered by the appropriate committee.~~

Standing Committees

The GPWIB has authority to establish standing committees in order to address specific issues. All standing committee recommendations are presented to the GPWIB for official action. All standing committees must operate according to Open Meeting Law requirements. If the GPWIB determines that a specific standing committee is no longer needed, it shall officially disband the committee. The Bylaws will thereafter be amended to remove the standing committee.

Operational, Management and Planning

~~The Operational, Management and Planning Committee shall review and discuss program and strategic planning issues and make recommendations to the GPWIB as a whole. The committee is responsible for the process of selections and training of service providers and shall review and discuss strategic planning.~~

~~The committee shall also be responsible for evaluating the effectiveness of all WIA programs and report its' findings and/or recommendations to the GPWIB.~~

The following standing committees have been established by the GPWIB:

Fiscal Committee

The Fiscal Committee shall be responsible for annual preparation and review of the WIA Allocations for the Adult, Youth, and Dislocated Worker Programs. The committee shall have the responsibility for the oversight and approval of the budget throughout the year.

Public and Community Relations Committee

~~The Public and Community Relations Committee shall be responsible for the development and implementation of marketing tools and strategies to promote the Workforce Investment Act (WIA) within Gila and Pinal Counties.~~

~~The committee shall also be responsible for the recruiting of individuals to apply for membership. Members will orientate, educate, and train new board members.~~

One-Stop Committee

~~The One-Stop Committee shall collaborated to create a unified, seamless customer friendly system of service delivery that will enhance access to programs, and ensure all core services are available in the One-Stop Center.~~

Workforce Development Committee

The Workforce Development Committee shall collaborate to create a unified, seamless customer friendly system of service delivery that will enhance access to programs, and ensure all core services are available at the One-Stop Centers.

The Workforce Development Committee shall review and discuss program and strategic planning issues and make recommendations to the GPWIB. The Committee is responsible for the process to select and train service providers.

The Workforce Development Committee shall also be responsible for evaluating the effectiveness of all WIA programs and will report its findings and/or recommendations to the GPWIB.

The Workforce Development Committee shall be responsible for the development and implementation of marketing tools and strategies to promote the WIA within Gila and Pinal Counties.

The Workforce Development Committee shall also be responsible for the recruitment of individuals to apply for membership on the GPWIB. Committee members will orientate, educate, and train new ~~board~~ GPWIB members.

Youth Committee

The Youth Committee shall be responsible for the development of the 5-year plan relating to youth, and will recommend providers of youth services ~~to the GPWIB~~. The committee will coordinate local youth programs and initiatives.

Executive Committee

The Executive Committee shall consist of the Chairperson, ~~the~~ Vice-Chairperson, past Chairperson ~~of the GPWIB~~ and two GPWIB members appointed by the ~~GPWIB~~ Chairperson ~~with the approval of the full~~

~~GPWIB shall be subject to ratification by vote of the GPWIB. The Chairperson of the GPWIB shall call and The Executive Committee preside at all meetings of the Executive Committee.~~ **The GPWIB Chairperson shall serve as the Chairman of the Executive Committee.**

The Executive Committee shall meet as necessary between scheduled meetings of the entire GPWIB membership and shall be responsible for interpreting and putting into effect the decisions, policies and programs of the GPWIB. If a GPWIB meeting has been cancelled and action items are needed to continue the programs, the Executive Committee shall put into effect and vote on the action items. All actions are subject to ratification **by vote** of the ~~full~~ GPWIB at its next regularly scheduled meeting.

Ad Hoc Committee

An ad hoc committee may be ~~formed for addressing a specific use established by the GPWIB for a specific purpose with a specific time frame. After the specific issue is addressed to the GPWIB, the Committee shall be dissolved.~~ **Once the Committee has presented its findings/report to the GPWIB, the GPWIB will take official action to disband the Committee.**

Standing Committee and Ad Hoc Committee Officers

The GPWIB Chairperson appoints the Chairperson of the standing committees and ad hoc committees subject to ratification by a vote of the GPWIB.

The committee Vice-Chairperson shall be elected by a majority vote of the specific standing committee or ad hoc committee.

ARTICLE VIII – MEETINGS

The GPWIB shall hold at least four (4) meetings per year on the date, time and place as may be designated by the Chairperson of the **GPWIB**. Special meetings of the GPWIB and its **standing** committees **and ad hoc committees** may be called, as needed, by the Chairperson of the GPWIB or the respective committee.

If one or more members are unable to be present in person, members may participate by telephone or video conference. The agenda should state that one or more members will participate by telephonic or video conference. **The meeting agenda** will state “Members of the Gila/Pinal Workforce Investment Board will attend either in person or by telephone conference call.” Members participating in a telephone conference shall be clearly identified in the minutes.

All meetings of the GPWIB and its **standing** committees **and ad hoc committees** shall be **held** in accordance with the Arizona Open Meeting Law (Arizona Revised Statutes, ~~Section 38-43~~ **Title 38-Public Officers and Employees, Chapter 3-Conduct of Office, Article 3.1-Public Meetings and Procedures**).

ARTICLE VIII IX – VOTING

Per A.R.S. § 38-231, an execute/notarized Loyalty Oath of Office must be on file with the Gila County Clerk of the Board of Supervisors Department. Members have no voting rights until they have executed and filed their Loyalty Oath.

Each member of the GPWIB shall be entitled to one (1) vote on all matters brought before the GPWIB at any scheduled meeting. Whenever these Bylaws specify that an action is to be taken by vote of the GPWIB, the approval shall be granted by a simple majority of the members present and qualified to vote at any scheduled meeting of the GPWIB at which a quorum exists.

ARTICLE IX X – CONFLICT OF INTEREST, LIABILITY COVERAGE

The GPWIB shall follow Arizona law on Conflict of Interest law as set forth in Arizona Revised Statutes, Section 38-501 following, and Section 38-447. GPWIB members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of the GPWIB business. A potential conflict of interest exists if a GPWIB member takes any action, which would be to his/her private financial gain or loss, or to that of his/her family or employer, or any other **apparent legal conflict of interest. A potential conflict does not exist if the** financial gain or losses affect to the same degree all people in the ~~Workforce Investment Area~~ LWIA or a large class of people with which the member is associated. Each individual serving on the GPWIB must sign a **Conflict of Interest Statement** on an annual basis.

If a potential conflict of interest arises, the affected GPWIB member must give notice before taking action. Such disclosure of potential conflict of interest including the source of conflict will be made part of the minutes of the meeting. The affected GPWIB member must refrain from discussing and/or voting on that issue.

The GPWIB may spend such funds as are needed to protect the ~~Board~~ GPWIB and its individual members from liability incurred in the performance of their duties as members of the ~~Workforce Investment Board~~ GPWIB.

ARTICLE XI – QUORUM

A majority of the current membership of the GPWIB must be present at any meeting of the GPWIB to constitute a quorum for the transaction of any business to come before the GPWIB. A quorum, once attained, is still attained even if a member leaves early or abstains from voting.

ARTICLE XII – AMENDMENTS

~~These Bylaws may be amended by a majority of the GPWIB upon recommendation of the Bylaws, Policies and Procedures Committee. The written text of the proposed revision or revisions shall have been distributed and read at the previous regularly scheduled meeting of the GPWIB.~~

Amendments to these Bylaws may be necessary from time to time. Any proposed changes to the Bylaws must be presented to the members of the GPWIB and approved by a vote of the GPWIB. The amended Bylaws are then presented to the Boards of Supervisors for final approval. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all GPWIB members, and Pinal and Gila Counties' Boards of Supervisors.

~~ARTICLE XII – POLICIES AND PROCEDURES~~

~~Policies and Procedures shall be established for the GPWIB, which will govern and/or provide clarification of issues such as reimbursement for meals, lodging and incidental expenses relating to travel, membership and recruitment of new members, and conflict of interest.~~

~~ARTICLE XIII – PARLIAMENTARY AUTHORITY~~

~~The Rule for Parliamentary Practice in Robert's Rules of Order newly revised shall govern all processing of the Workforce Investment Board and the Executive Committee. In the case of conflict between Robert's Rules and these Bylaws, or between Robert's Rules and a special rule adopted by the GPWIB, the Bylaws or special rule shall prevail.~~

Attachment

Conflict of Interest Statement